

## Message Text

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15

ACTION SCS-03

INFO OCT-01 L-02 ISO-00 /006 W  
----- 006938

R 231000Z JAN 75  
FM AMCONSUL ISTANBUL  
TO SECSTATE WASHDC 5786  
INFO AMEMBASSY ANKARA

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EO: 11652 NA  
TAGS: CDES, TU (CARP, BETTY)  
SUBJ: ESTATE SETTLEMENT OF BETTY CARP

REF: ISTANBUL 77 OF 1/11/75

BEGIN UNCLASSIFIED

SUMMARY: CONGEN CONCERNED AT CONTINUING DELAY IN APPOINTING  
LOCAL AGENT TO REPRESENT EXECUTOR OF ESTATE OF LATE BETTY CARP.  
REQUEST DEPT. DISCUSS WITH ATTORNEY CHARLES T. LARK, JR.  
AND URGE EXPEDITIOUS ACTION. END SUMMARY

1. AS DEPT. AWARE FROM PAST COMMUNICATIONS, MISS BETTY CARP,  
RETIRED CONGEN LOCAL EMPLOYEE, DIED IN ISTANBUL 12 JUNE, 1974.  
MISS CARP WAS DUAL US-TURKISH NATIONAL WHO LIVED ALL OR MOST  
OF LIFE IN ISTANBUL, AND WORKED FOR USG SINCE 1914.

2. UNDER TERMS MISS CARP'S WILL, ATTORNEY CHARLES T. LARK, JR.  
DESIGNATED SOLE EXECUTOR FOR ESTATE. CONGEN IMMEDIATELY  
CORRESPONDED WITH LARK AND IN ACCORDANCE 7 FAM 444.3 ACTED  
AS PROVISIONAL CONSERVATOR OF PORTION OF ESTATE LOCATED IN TURKEY.  
THIS CONSISTED OF EFFECTS IN HER ISTANBUL APRTMENT. EXCEPT  
FOR TWO BOXES JEWELS WHICH ARE AT CONGEN, REST OF EFFECTS REMAIN  
IN APRTMENT UNDER PROTECTION OF ELDERLY MAID WHO WORKED FOR  
MISS CARP FOR 45 YEARS.

3. LARK ARRIVED ISTANBUL DEC. 1 1974 AND DEPOSITED COPY OF LETTERS  
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TESTAMENTARY ISSUED BY SURROGATE COURT OF NEW YORK COUNTY ON

14 NOVEMBER 1974. LARK INSPECTED ESTATE AND MET WITH LOCAL ATTORNEY CEMIL DINCEL WHOM HE HAD OSTENSIBLY APPOINTED AS HIS AGENT (DEPT. OM DATED SEPT. 16, 1974). IN A LETTER OF OCT. 16, 1974 CONGEN HAD STRESSED TO LARK THAT DINCEL CONCERNED BECAUSE THERE WAS NO AGREEMENT CONCERNING SCOPE OF HIS DUTIES, AMOUNT HIS COMPENSATION AND NO POWERS OF ATTORNEY AUTHORIZING HIM TO ACT FOR THE ESTATE. UPON HIS DEPARTURE FROM ISTANBUL ON DECEMBER 12, LARK ASSURED CONGENOFF THAT HE HAD REACHED AGREEMENT WITH DINCEL AND HAD MADE WRITTEN DESIGNATION APPOINTING DINCEL AS HIS AGENT.

4. LARK SUBSEQUENTLY SENT TO DINCEL A DRAFT FOR OVER 17,000 TL TO PERMIT DINCEL PAY EXPENSES FOR ESTATE (MAID'S AND DOORMAN'S SALARY, UTILITIES, RENT) . IN LETTER DATED 15 JANUARY, 1975 DINCEL INFORMED LARK HE COULD NOT DISBURSE MONEY OR OTHERWISE ACT FOR ESTATE SINCE NO AGREEMENT REACHED RE: (1) SPECIFIC LEGAL STEPS TO BE TAKEN TO PROTECT ESTATE, (2) AMOUNT OF COMPENSATION, (3) NECESSARY POWERS OF ATTORNEY.

5. IN LETTER OF DEC. 23, 1974 AND REFTEL DATED JAN. 11, 1975 CONGEN INFORMED LARK THAT DINCEL STATED NO AGREEMENT REACHED WITH LARK. CONGEN ALSO NOTED THAT SINCE LARK NOW LEGALLY DESIGNATED AS SOLE EXECUTOR, CONGENOFF COULD NOT CONTINUE ACTING AS PROVISIONAL CONSERVATOR. DESPITE FOREGOING, CONGEN HAS DRAWN ON SCS FUNDS DEPOSITED BY LARK TO PAY JANUARY SALARIES FOR MAID AND DOORMAN AND UTILITIES FOR JANUARY IN ORDER PREVENT ABRUPT TERMINATION. THERE ARE NOT RPT NOT SUFFICIENT FUNDS TO PAY JANUARY RENT AND ON JANUARY 21 LANDLORD INFORMED US HE HAS OFFER ON APARTMENT AND WANTS IT VACATED AS SOON AS POSSIBLE.

6. REQUEST DEPT. DISCUSS FOREGOING WITH LARK, POINTING OUT THAT CONGEN CANNOT HENCEFORTH PAY BILLS OR OTHERWISE ACT AS AGENT OF ESTATE. IT IMPERATIVE LARK APPOINT LOCAL AGENT TO ACT FOR HIM IN ACCEPTING AND DISBURSING FUNDS FOR ESTATE'S EXPENSES. MORE-OVER, WE UNDERSTAND THAT LOCAL PORTION OF ESTATE MUST BE ADJUDICATED BY TURKISH COURTS WHICH WILL ALMOST CERTAINLY REQUIRE SERVICES LOCAL ATTORNEY. END UNCLASSIFIED

7. BEGIN LIMITED OFFICIAL USE. FOR DEPT. -- FYI ONLY:

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IT DIFFICULT FOR US AVOID SUSPICION THAT LARK DELAYING AGREEMENT WITH LOCAL ATTORNEY UNDER ASSUMPTION THAT CONGEN WILL CONTINUE PAY BILLS AND TAKE OTHER NECESSARY STEPS INDEFINITELY. IT THEREFORE NECESSARY IMPRESS UPON LARK THAT PAYMENT JANUARY SALARIES AND UTILITIES WAS LAST RPT LAST TIME CONGEN WILL TAKE SUCH ACTION.

PLEASE ADVISE RESULTS CONVERSATION WITH LARK.

END LOU.

MACE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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